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11 THE GAP, INC., a/k/a, GAP, INC., GAP INTERNATIONAL  
12 SALES, INC., BANANA REPUBLIC, LLC, AND OLD NAVY,  
13 LLC

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 ROOTS READY MADE GARMENTS CO.  
18 W.L.L.,

Case No. C 07-03363 CRB

19 Plaintiff,

**[PROPOSED] ORDER GRANTING  
MOTION TO DISMISS THIRD  
AMENDED COMPLAINT**

20 v.

21 THE GAP, INC., a/k/a, GAP, INC., GAP  
22 INTERNATIONAL SALES, INC., BANANA  
23 REPUBLIC, LLC, AND OLD NAVY, LLC

24 Defendants.

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1 On May 9, 2008, Defendants The Gap, Inc., a/k/a Gap, Inc., Gap International Sales, Inc.,  
2 Banana Republic, LLC and Old Navy, LLC (collectively “Gap”) filed a motion to dismiss the  
3 Third Amended Complaint filed by Roots Ready Made Garments Co. W.L.L. (“Roots”) in this  
4 action. Having considered Roots’ Third Amended Complaint, Roots’ prior two complaints, the  
5 papers filed in support of and in opposition to Gap’s motion, the arguments of counsel, and the  
6 pleadings in this action, the Court hereby **GRANTS** Gap’s Motion to Dismiss with prejudice on  
7 the basis that Roots’ Third Amended Complaint fails to state a claim upon which relief can be  
8 granted. *See* Fed. R. Civ. P. 12(b)(6).

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10 **IT IS SO ORDERED.**

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Dated: \_\_\_\_\_

13 HONORABLE CHARLES R. BREYER  
United States District Court Judge

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